



**QUISPAMIS TOWN COUNCIL
REGULAR MEETING
MINUTES
February 21, 2017, 7:00 pm
Council Chambers
Quispamsis Town Hall**

Members Present:

Mayor Gary Clark
Deputy Mayor Libby O'Hara
Councillor Lisa Loughery
Councillor Sean Luck
Councillor Kirk Miller
Councillor Emil T. Olsen
Councillor Pierre Rioux
Councillor Beth Thompson

Staff Present

Colbourne; Dwight, Municipal Planning Officer
Deuville, Susan; CAO
Kennedy, Arron; Communications Manager
MacInnis, Lisa; Asst. Clerk
McPhee, Richard; Town Solicitor
Purton Dickson, Dana; Director of Community Services
Snow, Catherine; Town Clerk

Absent:

Losier, Gary; Director of Engineering & Works (vacation)
McGraw, Jo-Anne; Town Treasurer (illness)

1. Approval of Agenda

Moved By Deputy Mayor O'Hara

Seconded By Councillor Olsen

The agenda be approved as prepared.

Motion Carried

2. Mayor's Comments

Passing of the late Mr. Brian Shanks, Town of Quispamsis' EMO Director – Mayor Clark acknowledged the recent passing of Mr. Brian Shanks who served as the Town's Director of EMO for many years, having assumed the volunteer position shortly after the

1998 amalgamation. He continued throughout the years committed to helping the Town move forward in its emergency measures planning and training right up until his last days. He was instrumental in the formation of the Town's EOC at the Recreation Centre, and published regular emergency preparedness articles in local papers. He occasionally set aside time to provide Open House sessions to teach residents the importance of being prepared for emergencies. Brian also served the community as Quispamsis' representative on the Kennebecasis Valley Fire Board, was a Toastmaster and a Ham Radio enthusiast. He was a stickler for punctuality, and will long be remembered by those who knew him as a friendly and familiar face, who lived by his motto, 'be prepared, not scared'. Mayor Clark extended, on behalf of Council, Staff and Residents of Quispamsis, his deepest sympathies to his wife, Barbara, his family and friends.

Major Winter Storm Weather Events - Mayor Clark referenced the two significant winter snow storms held February 13, 2017 and then again on February 16, 2017 in Atlantic Canada, which saw a snowfall accumulation in Quispamsis in excess of 80 cm. He commended the Town's Works Crews, who worked tirelessly around the clock to keep Quispamsis' streets as clear and as safe as possible.

Gondola Boulevard/Leah Boulevard – Traffic Calming Project – Mayor Clark informed those in attendance the Town and Engineering Consultant, Crandall Engineering, will be hosting an Open House February 22, 2017 from 4 pm to 7 pm to publicly engage the residents of Gondola Boulevard and Leah Boulevard on the traffic calming design options for this corridor's planned upgrade that will take place later this year.

Saint John Sports Hall of Fame – Mayor Clark announced the Sports Hall of Fame Induction Ceremony will take place at the qplex on Thursday, February 23, 2017, when six new members will be inducted into the NB Sports Hall of Fame. Recipients will include Heidi Hanlon, and Saint John rowers, Brian and Henry Ford of Rothesay.

3. Moment of Reflection – Councillor Loughery read the Moment of Reflection.

4. Disclosures of Interest - No disclosures were declared.

5. Presentations

5.1 Proposed Municipal Plan Presentation by Dwight Colbourne, Municipal Planning Officer

Mr. Colbourne presented the Municipal Plan 2017 overview of the draft plan. He highlighted the proposed new plan, broken down into the following 9 parts –

1. Introduction;
2. More Sustainable Town – The Vision;

3. Town Framework – Town-Wide Policies;
4. Town Framework – Land Use Policies;
5. The Natural Environment – Environmental Policies
6. The Build Environment Infrastructure;
7. The Living Town: Social, Culture & Economic Policies
8. Municipal Projects, Studies and Capital Works Programs
9. Building the Town: Governance and Implementation Policies

Mr. Colbourne indicated he plans to host public Open Houses on March 8, 9, and 13, 2017, and recommended the Public Presentation date be set for March 21, 2017.

Moved By Deputy Mayor O'Hara

Seconded By Councillor Thompson

Council accept the Municipal Planning Officer's recommendation that Staff host Public Open Houses on the draft Municipal Plan as indicated; and a Public Presentation date be set and advertised for March 21, 2017 at 7:00 p.m. pursuant to Section 25 of the *Community Planning Act*.

Motion Carried

6. Public Hearings (none)

7. Minutes of Previous Meetings

7.1 February 7, 2017 - Regular Meeting

Moved By Councillor Thompson

Seconded By Councillor Luck

Minutes be approved as prepared.

Motion Carried

8. Unfinished Business

8.1 (July 19/16) Response from Province to Reduce Speed on Route 119 near Squire Drive

Correspondence from Minister Fraser informed Council, in response to the Town's letter requesting the speed limit be reduced on Route 119 near Squire Drive, that the DTI Operations Branch completed a speed limit review for this section of roadway. The results of the review indicated that 80 km/h is the appropriate speed limit for this section of Route 119. The Minister noted the

Town's reference to posting of a 60 km/h in the area of Route 100, and stated they have no record of reducing the speed limit in this area. Their filed review was completed prior to receipt of the Town's letter and they did not include this area in the evaluation. Therefore an additional review to encompass this area will be completed to ensure the appropriate speed limit is posted throughout the length of Route 119.

Moved By Councillor Olsen

Seconded By Councillor Miller

Minister Fraser's letter be referred to Staff to research the history on the reduction of speed in the Route 119 and Route 100 intersection area and bring their findings back to Council.

Motion Carried

9. Correspondence

- 9.1 Junction Driving Range - Smoking Pig BBQ - Request to Amend Zoning By-law to Permit Takeout/Patio Style Food Service with Liquor License as a Notwithstanding Use - 515 Hampton Road, (PID No. 30023584)- Saint John Beer Market Inc. - Jesse Vergen, In Attendance

Mr. Vergen was in attendance and expanded upon his application to Council to amend the Town's Zoning By-law to permit the Smoking Pig Patio/takeout facility at 515 Hampton Road, (The Junction Driving Range), to apply to the Province for a liquor license to allow them to sell beer with their food menu.

A letter from Thomas Jepson, President of Timber Frame Developments Ltd., and owner of 515 Hampton Road, PID No. 30023584, indicated his support of Mr. Vergen's application before Council.

A Staff Report from the Municipal Planning Officer informed Council in 2004 the zoning of the property was changed from Single & Two Family Residential (R1) to Rural (RU) through a Section 39 rezoning to permit the operation of the golf driving range. The food service has been an incidental use and the current zoning does not permit a Licensed Dining facility, which is only permitted in a Highway or Central Commercial zone. In discussions with the Town Solicitor, Mr. Colbourne advised, it is being recommended that the most straightforward approach would be a Notwithstanding Use amendment to the Zoning By-law to permit a Licensed Dining-Room facility in a Rural Zone at 515 Hampton Road. The licensed dining facility would be incidental to the main use.

Mr. Colbourne informed Council the new Municipal Plan will delineate this property as Highway Commercial which is more in line with its use. Currently, however, it is being recommended to amend the Zoning By-law No. 38, as indicated, as the applicant wishes to open his patio service by May, which is prior to when the new Municipal Plan will be adopted.

Moved By Councillor Olsen

Seconded By Deputy Mayor O'Hara

Saint John Beer Market Inc.'s application to amend the Town's Zoning By-law to permit a Licensed Dining Facility at 515 Hampton Road as a *Notwithstanding Use* in the Rural Zone be referred to the Planning Advisory Committee, a Public Hearing date be set for April 4, 2017, and the property owners within a 100 meter radius of the proposed development be notified of the proposed Zoning By-law Amendment.

Motion Carried

9.2 Letter from Jean Fowler Re Nuisance Deer

Correspondence from Ms. Fowler expressed her frustration with the damage deer have done to her landscape noting most days there as many as 10 deer that frequent her property.

Moved By Councillor Rioux

Seconded By Councillor Loughery

Ms. Fowler be thanked for her correspondence and she be informed of the Deer Management Plan that DNR has implemented each fall in the Kennebecasis Valley.

Motion Carried

9.3 Steve Sanderson & Nancy Lyon - Request to Present Comments Re ROC & ESJ

Further to the Mayor's Comments, Mr. Sanderson also expressed his condolences at the passing of Mr. Brian Shanks, noting he and his wife, Nancy, first met Brian at the Town's Warming Centre during the Christmas 2013 Power Outage. They also attended subsequent EMO Sessions that Brian had led, teaching the community to be prepared for emergency situations, noting he contributed significantly to the community.

Mr. Sanderson expanded upon his letter requesting ongoing updates be given at open sessions of Council re ROC's deliberations/actions and meetings between ROC and ESJ, and when can he expect the next report.

Mayor Clark, the Town's representative on ROC, informed Mr. Sanderson that has previously indicated ROC has met, and in recognition of sensitive information that is being addressed, discussions between the ROC and ESJ at this time are in closed session.

A Staff Report from CAO Deuille acknowledged Council, at its December 20, 2016 Regular Meeting, passed a motion to issue a letter to ESJ confirming the Town's 2017 Budget contribution of \$56,000 and invited ESJ to come back in June to update Council on the status of their plans and progress at that time. She recommended Mr. Sanderson's letter requesting updates in the interim be referred to the ROC for consideration.

Moved By Deputy Mayor O'Hara

Seconded By Councillor Luck

Mr. Sanderson's letter be forwarded to ROC for consideration and the letter be received and filed.

Motion Carried

9.4 2017 Association of Municipal Administrators of NB (AMANB) Annual Conference and AGM - Request for Sponsorship - Staff Report from CAO Deuille

CAO Deuille's letter, in response to a request for sponsorship from AMANB, recommended Council allocate \$300 from the Civic Relations Budget to the 2017 AMANB Conference, which is being hosted this year by the Greater Saint John municipalities at the Delta Brunswick Hotel, June 7 to June 9, 2017. She noted the Town has been a long time member of this Association, since the early 1980's.

Moved By Councillor Thompson

Seconded By Deputy Mayor O'Hara

That the Town of Quispamsis, as a Member of this year's Hosting Committee provide a \$300 sponsorship donation to the Annual AMANB Conference.

Motion Carried

10. By-laws

10.1 (May 20, 2016) By-law No. 052: A By-law of the Town of Quispamsis Respecting Animal Control

Moved By Councilor Miller

Seconded By Councillor Olsen

Mr. Robert Hunt, Spokesperson of the Animal Control Advocacy Group, and Member of the Animal Control By-law Ad Hoc Review Committee, be permitted to address Council.

Motion Carried

Mr. Hunt thanked Council for the opportunity to participate on the Animal Control Ad Hoc Review Committee with membership from Town Staff, local Veterinarians, the Police Force, Legal Advisor and Advocates for By-law Change. He commended those involved for the engagement and cooperation shown throughout the process, noting the residents whom he represents are very pleased with the outcome.

Moved By Councillor Thompson

Seconded By Councillor Olsen

Council give third and final reading to By-law No. 052; A By-law of the Town of Quispamsis Respecting Animal Control.

By-law No. 052 was read in its entirety.

Motion Carried

Mayor Clark acknowledged the preparation of the new Animal Control By-law was a community driven initiative. He thanked Mr. Hunt and other members of the community, including police and veterinarians. He noted an open line of communication was established throughout the process, done in an open and transparent way. Ultimately, the goal was to achieve a balance between public safety and a good quality of life for residents. He thanked those involved for a job well done.

10.2 (Aug.2016) Proposed Zoning By-law No. 038-22 Re Car Wash Operation (Wash 66) - Portion of PID No. 30256226 off Pettingill Road

Mayor Clark and Councillor Miller left the meeting as they did not attend the Public Hearing. Deputy Mayor O'Hara presided.

The Municipal Planning Officer confirmed the applicant has signed the Section 39, *Community Planning* Act developer's agreement, that provides the terms and conditions of the proposed Zoning By-law Amendment No.38-22. The developer's agreement requires that only one well shall be drilled on the lands to provide water supply for the office domestic use only, (washroom and lunchroom), and that no water from this or any well on the lands shall be used in the car wash system or for any related purposes. All water to be used for the car

wash system is to be imported by truck from an off-site location approved by the Province of NB, and any future use of water from a well on the lands for the car wash system will require the approval of the Town and be subject to a satisfactory comprehensive hydrogeological study being completed at the time of application for this change.

Moved By Councillor Olsen

Seconded By Councillor Loughery

Third and final reading be given to Zoning By-law No. 038-22 to permit a car wash operation as a notwithstanding use on a portion of 30256226 off Pettingill Road, subject to the terms and conditions of the Section 39 *Community Planning Act* developer's agreement.

Motion Carried

Mayor Clark and Councillor Miller returned to the meeting.

11. New Business

11.1 Tender 2017TQ-01-2 New 4x2 Heavy Duty One Ton Crew Cab

Moved By Councillor Luck

Seconded By Councillor Rioux

Council accept the Director of Engineering & Works' recommendation to award tender 2017 TQ01-02 New 2016/2017 Heavy Duty Cab and Chassis 4 x 2 Crew Cab to the bid from Dobson Chrysler Dodge Jeep for the tender price of \$48,645.00, (Exclusive of all taxes), and that remaining budget funds will be used to cover the costs to equip the unit with dump body, lights and logos.

Motion Carried

12. Reports

12.1 2017 Monthly Animal Control Summary

12.2 Kennebecasis Valley Fire Department Minutes of January 11, 2017 Meeting

12.3 Rail Safety Week - April 24 - 30, 2017

Moved By Councillor Olsen

Seconded By Councillor Rioux

Council recognize April 24 – 30, 2017 as Rail Safety Week in Canada to highlight the ongoing commitment of communities and rail companies and their employees in making Canada's rail network even safer.

Motion Carried

- 12.4 Bill 44 – New Local Governance Act & Bill 45 New Community Planning Act to Become Effective January 2018

Moved By Councillor Olsen
Seconded By Councillor Miller

Reports be received and filed.

Motion Carried

13. **Business Arising from Committee of the Whole (none)**

14. **Adjournment**

Moved By Deputy Mayor O'Hara
Seconded By Councillor Thompson
Regular Meeting of Council adjourn to March 7, 2017.

Motion Carried

Meeting adjourned at 8:50 p.m.

X

Gary Clark
Mayor

X

Catherine P. Snow
Clerk

